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Our file: 4703 000 001

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via email

RE: NWB 3BC-THE/GA - Nuna M&T Services Ltd - Tehek Lake Project.

On behalf of Environment Canada (EC), I have reviewed the information submitted with the above-mentioned application. The following specialist advice has been provided pursuant to Environment Canada's mandated responsibilities for the enforcement of the *Canadian Environmental Protection Act*, Section 36(3) of the *Fisheries Act*, the *Migratory Birds Convention Act*, and the *Species at Risk Act*.

Nuna M & T Services Ltd is proposing a temporary camp to be utilized for the construction of the Tehek Lake access road. The proposed construction camp will be located within the municipal boundary of the Hamlet of Baker Lake. The camp will be erected near the edge of an extensive glacially derived gravel deposit located near a small unnamed lake at the southern edge of the esker, which will be used as a source for domestic water. The camp is designed for a maximum of 60 persons and is anticipated to be in operation from November, 2006 to July, 2007.

Environment Canada recommends that the following conditions be applied throughout all stages of the project:

- The proponent shall not deposit, nor permit the deposit of any fuel, chemicals, wastes or sediment into any water body. According to the *Fisheries Act*, Section 36(3), the deposition of deleterious substances of any type in water frequented by fish, or in any place under any conditions where the deleterious substance, or any other deleterious substance that results from the deposit of the deleterious substance, may enter any such water, is prohibited.
- Any sumps created for the disposal of camp sewage and grey water shall be located above the high water mark of any water body and in such a manner as to prevent the contents from entering any water body frequented by fish. Further, all sumps shall be backfilled upon completion of the field season and contoured to match the surrounding landscape.
- All fuel caches shall be located above the high water mark of any water body. Further, EC recommends the use of secondary containment, such as self-supporting insta-berms, when storing barreled fuel on location rather than relying on natural depressions.
- Drip pans, or other similar preventative measures, should be used when refueling equipment on site.
- **All spills** shall be documented and reported to the 24 hour Spill Line
- It is recommended that Jim Noble of Environment Canada be added to the Spill Contingency Plan contact list for direction on how to proceed in the event of a spill (867- 975-4644). The 24 hour

Emergencies Pager (867-920-5131), monitored by Emergencies and Enforcement personnel can also be contacted.

- The proponent shall not store any materials on the surface ice of lakes or streams, except that which is for immediate use.
- Environment Canada recommends the use of an approved incinerator for the disposal of combustible camp wastes. The proponent indicates the use of a Dual Burner incinerator for the disposal of domestic waste: The proponent shall ensure that all non-combustible and hazardous wastes, including waste oil, receive proper treatment and disposal at an approved facility
 - The Waste Management Plan Waste should consider and include:
 - Purchasing policies that focus on reduced packaging,
 - On-site diversion and segregation programs (i.e. the separation of non-food waste items suitable for storage and subsequent transport and disposal or recycling).
 - If incineration is required, ensure diligent operation and maintenance of the incineration device and ensure appropriate training is provided to the personnel operating and maintaining the incinerator.

The objective should be to ensure that only food waste and food-contaminated waste is burned (the use of paper, cardboard and clean wood as supplementary fuel is acceptable).

- Used absorbent materials, oily or greasy rags, and equipment servicing wastes (such as used engine oil, antifreeze, hydraulic oil, lead acid batteries, brake fluid and other lubricants) should be safely stored and transported in sealed containers (odor free to prevent animal attraction) and safely transported to a facility that is authorized for the treatment and disposal of industrial hazardous wastes.

The Canadian Wildlife Service (CWS) of Environment Canada has reviewed the above-mentioned submission and makes the following comments and recommendations pursuant to the *Migratory Birds Convention Act* (the *Act*) and *Migratory Birds Regulations* (the *Regulations*).

- Section 6 (a) of the *Migratory Birds Regulations* states that no one shall disturb or destroy the nests or eggs of migratory birds. If active nests are encountered during project activities, the nesting area should be avoided until nesting is complete (i.e. the young have left the vicinity of the nest).
- Environment Canada recommends that camp waste be made inaccessible to wildlife at all times. Camp waste can attract predators of migratory birds (e.g., foxes and ravens) to an area if not disposed of properly.
- Section 35 of the *Migratory Birds Regulations* states that no person shall deposit or permit to be deposited, oil, oil wastes or any other substance harmful to migratory birds in any waters or any area frequented by migratory birds.
- All mitigation measures identified by the proponent, and the additional measures suggested herein, should be strictly adhered to in conducting project activities. This will require awareness on the part of the proponents' representatives (including contractors) conducting operations in the field. Environment Canada recommends that all field operations staff be made aware of the proponents' commitments to these mitigation measures and provided with appropriate advice / training on how to implement these measures.
- Implementation of these measures may help to reduce or eliminate some effects of the project on migratory birds, but will not necessarily ensure that the proponent remains in compliance with the *Migratory Birds Convention Act* (the *Act*) and *Migratory Birds Regulations* (the *Regulations*). The proponent must ensure they remain in compliance with the *Act* and *Regulations* during all phases and in all undertakings related to the project.

The following comments are pursuant to the Species at Risk Act (SARA), which came into full effect on June 1, 2004. Section 79 (2) of SARA, states that during an assessment of effects of a project, the adverse effects of the project on listed wildlife species and its critical habitat must be identified, that measures are taken to avoid or lessen those effects, and that the effects need to be monitored. This

section applies to all species listed on Schedule 1 of SARA. However, as a matter of best practice, EC asks that species listed on other Schedules of SARA and under consideration for listing also be included in this type of assessment.

Species at Risk that may be encountered	Category of Concern	Schedule of SARA	Government Organization with Expertise on Species
Short-eared Owl	Special Concern	Schedule 3	Government of Nunavut
Peregrine Falcon (subspecies tundrius)	Special Concern	Schedule 3	Government of Nunavut
Grizzly Bear	Special Concern	Pending	Government of Nunavut
Wolverine (Western Population)	Special Concern	Pending	Government of Nunavut

Impacts to these species could be disturbance and attraction to operations.

Environment Canada recommends:

- Species at Risk that could be encountered should be identified and any potential adverse effects noted. Refer to the Species at Risk registry at www.sararegistry.gc.ca for information on specific species.
- If Species at Risk are encountered, the primary mitigation measure should be avoidance. The proponent should avoid contact with or disturbance to each species.
- The proponent should consult with the Government of Nunavut and appropriate status reports, recovery strategies, action plans, and management plans to identify other appropriate mitigation measures to minimize effects to these species from the project.
- The proponent should record the locations and frequency of any observations of Species at Risk and note any actions taken to avoid contact or disturbance to the species.

If there are any changes in the proposed project, EC should be notified, as further review may be necessary. Please do not hesitate to contact me with any questions or comments with regards to the foregoing at (867) 975-4631 or by email at cindy.parker@ec.gc.ca.

Yours truly,

Original signed by

Cindy Parker
Environmental Assessment Technician

cc: (Colette Spangnuolo EA/Contaminated Sites Specialist, Environment Canada, Iqaluit)